UNITED
NATIONS

E

Economic and Social
Council

Distr.
GENERAL

E/CN.4/1995/SR.59/Add.1
27 March 1995

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS

Fifty-first session

SUMMARY RECORD OF THE 59th MEETING
(SECOND PART)*

Held at the Palais des Nations, Geneva,
on Tuesday, 7 March 1995, at 6 p.m.

Chairman: Mr. MEJIA SOLIS (Nicaragua)
(Vice-Chairman)

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* The summary record of the first part of the meeting appears as document E/CN.4/1995/SR.59.

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(agenda item 11) (continued)

Draft resolution on respect for the universal freedom of travel and the vital importance of family reunification (E/CN.4/1995/L.83)

1. Mr. PEREZ NOVOA (Cuba) explained that the draft resolution supplemented General Assembly resolution 49/182, paragraph 5 of which requested the Commission on Human Rights to consider the issue at its fifty-first session. The draft resolution had taken into account the relevant provisions of existing human rights instruments and the consensus reached at the International Conference on Population and Development held in Cairo in 1994. At the request of a number of delegations, a new operative paragraph should be inserted after paragraph 4, to read: "Recommends to the General Assembly, through the Economic and Social Council, that the Assembly consider this question at its fiftieth session".

2. Mr. MÖLLER (Secretary of the Commission) said that the delegation of Angola had become a sponsor of the draft resolution.

3. Mr. SPIEGEL (United States of America) said that despite its title, the draft resolution did not deal with any universal freedoms, but would interfere with the immigration and currency control policies of Member States and contradict sanctions adopted by the Security Council and the General Assembly. The draft resolution in fact concerned a bilateral political issue, and its call for action would require significant changes in the immigration laws of many countries. For those reasons, his delegation would vote against it.

4. Mr. WILLIS (Australia) said that Australia was one of the few countries in the world with a large-scale immigration programme and had welcomed millions of new citizens over the previous half century. Family reunification was only a part, albeit an important one, of immigration policy. As Australian immigration regulations limited family reunification his delegation was unable to support operative paragraph 4 of the draft resolution, and for that reason would vote against it.

5. At the request of the representative of the United States of America, the vote was taken by roll-call.

6. The Dominican Republic, having been drawn by lot by the Chairman, was called upon to vote first.

In favour: Algeria, Angola, Bangladesh, Benin, Brazil, Cameroon, Chile, China, Colombia, Côte d'Ivoire, Cuba, Ecuador, Egypt, El Salvador, Ethiopia, Gabon, Guinea-Bissau, India, Indonesia, Mexico, Nicaragua, Pakistan, Peru, Sri Lanka, Sudan, Togo, Venezuela.

Against: Australia, Canada, Germany, Hungary, Italy, Japan, Netherlands, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Austria, Bhutan, Bulgaria, Dominican Republic, Finland, France, Malawi, Malaysia, Mauritania, Mauritius, Nepal, Philippines, Poland, Republic of Korea, Romania, Russian Federation, Zimbabwe.

7. The draft resolution, as orally revised, was adopted by 27 votes to 9, with 17 abstentions.

Draft resolution on strengthening the Centre for Human Rights (E/CN.4/1995/L.35) (continued)

8. Ms. PARADAS-BOUVEAU (France), explaining that an agreement had been reached on the points at issue in the draft resolution, said that in paragraph 4 the words "other priority" in the first sentence should be replaced by the words "the need to finance and implement".

9. Mr. CHANDRA (India) said that his delegation would join the consensus on the draft resolution, but wished to draw attention to the reference, in paragraph 5, to an examination of the structures of the Secretariat of the United Nations and the request that the High Commissioner continue to keep Member States informed. His delegation believed that it was not sufficient merely to inform Member States; there should be full participation and interaction between the High Commissioner and the members and observers of the Commission in order to ensure the success of that exercise.

10. The CHAIRMAN said he took it that the Commission wished to adopt the draft resolution, as amended, without a vote.

11. It was so decided.

ADVISORY SERVICES IN THE FIELD OF HUMAN RIGHTS (agenda item 21) (continued)

Draft resolution on advisory services to El Salvador in the field of human rights (E/CN.4/1995/L.30/Rev.1)

12. Mr. MEJIA SOLIS (Nicaragua), speaking on behalf of the sponsors of the draft resolution, said its purpose was to acknowledge the resolute commitment of the Government of El Salvador to the eradication of violations of human rights and the building up of modern democratic institutions. The improvement in the human rights situation in El Salvador had been made possible by negotiations between the Frente Farabundo Martí para la Liberación Nacional, which had become an integral part of the political process in El Salvador, and the Government.

13. Thanks to the support of the international community, the peace process and respect for human rights had reached a point of no return in El Salvador. El Salvador had become an active participant in the Central American integration process, whose aim was to consolidate Central America as a region of peace, democracy and development. He stressed the importance of the request made by the Government of El Salvador to the Centre for Human Rights for technical assistance and advisory services. As the Independent Expert had observed in his report (E/CN.4/1995/88), El Salvador had been the setting for one of the most significant efforts by the United Nations to achieve peace, reconciliation, democracy and unqualified respect for human rights. He asked members of the Commission to show their recognition for the efforts made by the Government of El Salvador by supporting the draft resolution and adopting it by consensus.

14. The CHAIRMAN said he took it that the Commission wished to adopt the draft resolution without a vote.

15. It was so decided.

16. Mr. WIDODO (Indonesia), referring to draft resolution E/CN.4/1995/L.79 on the situation of human rights in Cambodia, explained that, in contrast with its position the previous year, his delegation had been unable to sponsor the draft resolution as it contained language which his delegation believed to be far from balanced.

17. Mr. LEGAULT (Canada), referring to draft resolution E/CN.4/1995/L.30/Rev.1 on the human rights situation in El Salvador, explained that while his delegation agreed that there had been notable advances in the human rights situation in El Salvador and that it was appropriate for the Commission to commend and congratulate the people of El Salvador for the progress achieved, it did not believe that the time was yet ripe for the Commission to cease to interest itself in the human rights situation there. Although Canada had joined the consensus, it continued to hope that the High Commissioner, within the framework of his mandate, would keep the Commission informed of developments in the human rights situation in El Salvador.

18. The CHAIRMAN said that the Commission had completed its consideration of agenda item 21.

QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES, INCLUDING:

(a) QUESTION OF HUMAN RIGHTS IN CYPRUS

(agenda item 12) (continued)

Draft resolution on the violation of human rights in the United States as a result of racism and racial discrimination persisting in United States society (E/CN.4/1995/L.26/Rev.2)

19. Mr. PEREZ NOVOA (Cuba) said that the draft resolution stemmed from the situation described by the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance in his report on his mission to the United States of America (E/CN.4/1995/78/Add.1). The persistence of racist practices and racial discrimination in the United States against the Afro-American, Hispanic, indigenous and Asian population was sufficient to merit the Commission's attention and to spur it into action, bearing in mind the principles of the Vienna Declaration and Programme of Action.

20. Despite the commendable efforts by the Special Rapporteur, lack of time had prevented him from examining the issue fully and had allowed him to visit only four States in the United States of America. The limited scope of the report made it necessary to gather further information on racism in the other States of the Union and on its impact on the human rights of their inhabitants, in view of the possibility for the States to circumvent or oppose Federal legislation.

21. Finally, he said that the draft resolution had been the subject of broad consultations, and although it represented a huge challenge, as the human rights violations in question were not taking place in a country in the South, as was the case of most of the situations covered by the Commission's resolutions, he hoped that the Commission would honour its mandate and not be deterred by the pressure exerted by the United States to prevent the adoption of the draft resolution.

22. Ms. DERRYCK (United States of America), speaking in explanation of vote before the voting, said that her delegation would vote against the draft resolution, which she described as unfortunate, and strongly encouraged others to do the same. It was misdirected at the Government of the United States, which had invited the Special Rapporteur to make his visit and had cooperated with him. The Special Rapporteur had expressed gratitude for the welcome and spirit of openness he had encountered in the United States and had acknowledged the 30 years of intense struggle against racism and racial discrimination conducted by the United States Government. The Government of

the United States anticipated a continuing dialogue with the Special Rapporteur and was convinced that the resolution would in no way assist it in its dedicated commitment to eliminate racial discrimination.

23. Mr. ZHANG Yishan (China) said that, despite the total absence of any threat from Cuba to its powerful nearby neighbour, the United States continued to view Cuba as a thorn in its side, and had for over 10 years imposed an economic blockade against that country. The United States had regularly submitted resolutions on the human rights situation in Cuba as a means of exerting pressure on its Government.

24. The draft resolution before the Commission was, in a manner of speaking, an act of self-defence that deserved sympathy. Moreover, the draft resolution squared with the social reality of the United States. The United States and western countries should have the courage to drop their double standards and welcome the draft resolution, which exposed the hypocrisy of their so-called concern for human rights. For those reasons, his delegation would support the draft resolution.

25. Mr. ELMUFTI (Sudan) said that the Special Rapporteur had concluded his report with the observation that racism and racial discrimination persisted in American society for structural reasons. The report was limited to the situation in only 4 out of the 50 States, and the Special Rapporteur should be authorized to continue his investigations in order to gather information on the situation in the United States in general. For that reason, his delegation would vote in favour of the draft resolution.

26. Mr. HELLER (Mexico) said that, since his delegation was of the view that draft resolution E/CN.4/1995/L.26/Rev.2 did not come under item 12 of the Commission's agenda, but under item 16, it would abstain from the vote.

27. Mr. MÖLLER (Secretary of the Commission) said that the programme budget implications of the request made in paragraph 4 of the draft resolution had been estimated at $US 11,400.

28. At the request of the representative of the United States of America, the vote was taken by roll-call.

29. Colombia, having been drawn by lot by the Chairman, was called upon to vote first.

In favour: China, Cuba, Sudan.

Against: Australia, Austria, Bangladesh, Benin, Brazil, Bulgaria, Canada, Chile, Colombia, Dominican Republic, Egypt, El Salvador, Ethiopia, Finland, France, Gabon, Germany, Hungary, India, Italy, Japan, Mauritania, Mauritius, Netherlands, Pakistan, Poland, Republic of Korea, Romania, Russian Federation, Sri Lanka, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Algeria, Angola, Bhutan, Cameroon, Côte d'Ivoire, Ecuador, Guinea-Bissau, Indonesia, Malawi, Malaysia, Mexico, Nepal, Nicaragua, Peru, Philippines, Togo, Venezuela, Zimbabwe.

30. The draft resolution was rejected by 32 votes to 3, with 18 abstentions. Draft resolution on human rights violations in the Papua New Guinea island of Bougainville (E/CN.4/1995/L.48)

31. Mr. GUAM (Observer for Nigeria), speaking on behalf of the sponsors of the draft resolution, said that the issue of human rights violations on the Papua New Guinea island of Bougainville had been before the Commission since 1993. At its previous session, in resolution 1994/81, the Commission had, inter alia, urged the Government of Papua New Guinea promptly to invite the Special Rapporteur on extrajudicial, summary or arbitrary executions and the Special Rapporteur on the question of torture to investigate the reports of human rights violations on the island of Bougainville and to report to the Commission at its fifty-first session. As that request had not been complied with, it was being repeated in the fourth preambular paragraph of the draft resolution before the Commission.

32. The sponsors had made a number of amendments in the hope that the draft resolution could be adopted by consensus. The word "in" in the title should be replaced by "on". The fifth preambular paragraph should be deleted and replaced by the following:

"Regretting that the Special Rapporteur on extrajudicial, summary or arbitrary executions and the Special Rapporteur on the question of torture were not able to visit the Papua New Guinea island of Bougainville,". The words "that the number of human rights violations in Bougainville has substantially decreased since September 1994" should be inserted in the third line of the seventh preambular paragraph, after the document symbol (E/CN.4/1995/60/Add.1) The word "some" in the first line of the ninth preambular paragraph should be replaced by "most". The words from "the Government of Papua New Guinea" to "Bougainville Interim Government" in paragraph 1 should be deleted and replaced by "all parties to the conflict". Paragraph 6 should be deleted and replaced by the following: "Requests the Secretary-General to continue to lend his good offices to the peace process and the Government of Papua New Guinea to invite the relevant thematic rapporteurs and working groups to visit the Papua New Guinea island of Bougainville to monitor the peace process and to report on the situation of human rights;". Lastly, paragraph 8 should be deleted and replaced by the following: "Decides to consider the situation of human rights on the Papua New Guinea island of Bougainville at its fifty-second session under the same agenda item."

33. Mr. EAFEARE (Observer for Papua New Guinea), speaking in explanation of vote before the voting, said that the Government of Papua New Guinea and Bougainville leaders had taken irreversible steps to resolve the crisis once and for all. The progress made was acknowledged in the sixth, seventh and eighth preambular paragraphs of the draft resolution. The ninth preambular paragraph portrayed the misleading way in which the Bougainville Revolutionary

Army had tried to derail the peace process on the ill-founded notion that the future of Bougainville revolved around them. The Bougainville Revolutionary Army's self-imposed marginalization was the biggest threat to the peaceful future of the island.

34. His delegation would have preferred the deletion of paragraph 1, as the Bougainville Revolutionary Army had not kept its promise; however, that would not prevent his delegation from supporting the draft resolution. Paragraph 3 was particularly important, as the hard-core Bougainville Revolutionary Army had to be reminded that it was the main violator of the provisions of the cease-fire instruments. With regard to paragraph 4, he said that the Bougainville Revolutionary Army refused to engage in any meaningful dialogue, despite the opportunities offered to them.

35. Lastly, he assured the Commission of his Government's willingness to cooperate with the Secretary-General and the thematic rapporteurs, and assured members of the Commission that the most ardent wish of the people of Bougainville was to forgive and forget.

36. Mr. MÖLLER (Secretary of the Commission) said that the draft resolution was considered to fall within the scope of the mandates of the Economic and Social Council, for which resources were already available under section 21 of the current biennium budget. No additional resources would, therefore, be required for the implementation of the resolution, if adopted.

37. The CHAIRMAN said he took it that the Commission wished to adopt the draft resolution, as orally revised, without a vote.

38. It was so decided.

Draft resolution on the situation of human rights in Cuba (E/CN.4/1995/L.74)

39. Mr. MÖLLER (Secretary of the Commission) said that the delegations of Canada, Denmark, Iceland, Ireland, Kuwait, Luxembourg, Portugal, Republic of Korea, Slovakia and Switzerland had also become sponsors of the draft resolution. The Secretariat had not yet been informed of its financial implications by the Budget Section.

40. Mr. HALPERIN (United States of America) said that the draft resolution addressed the serious violations of human rights and fundamental freedoms that continued in Cuba and which were clearly described in the report of the Special Rapporteur (E/CN.4/1995/52). His delegation had noted with special concern the Special Rapporteur's conclusion that the human rights situation in Cuba had not improved over the previous year. It was the will of the majority of members of the Commission that the Government of Cuba should permit the Special Rapporteur to enter Cuba and that his recommendations should be acted upon. The aim of the draft resolution was to secure that objective.

41. Mr. PEREZ NOVOA (Cuba), speaking on a point of order, asked whether it was possible to vote on a draft resolution without having been informed of its financial implications. In his view, to do so would be a violation of procedure, and would set an unfortunate precedent.

42. Mr. VAN WULFFTEN PALTHE (Netherlands) noted that the Commission had often voted in such circumstances in the past.

43. Mr. MÖLLER (Secretary of the Commission), replying to a question from the Chairman, said that to his recollection the Commission had indeed adopted resolutions in the past before having taken cognizance of their financial implications.

44. Mr. PEREZ NOVOA (Cuba) said that his delegation would not stand in the way of a vote on the draft resolution.

45. The CHAIRMAN thanked the Cuban delegation for its spirit of cooperation.

46. Mr. PEREZ NOVOA (Cuba), speaking in explanation of vote before the voting, said that the Commission had once again to consider a draft resolution which, under the guise of legitimate concern for human rights, was in fact an attack on Cuba sponsored by the United States of America. Where human rights were concerned Cuba had nothing to be ashamed of and much of which it could be proud. Not only were its national policies designed to assure the rights of its population, but it had never hesitated to hold out its hand in support of the peoples of the world. Cuba had always cooperated with the bodies of the United Nations system with exemplary transparency and honesty. The Government of the United States, on the other hand, had supported the most bloody regimes and had imposed an inhuman blockade against Cuba's 11 million people, in violation of resolutions adopted by the General Assembly by an overwhelming majority.

47. The United States should look to its own human rights practices, which permitted the adoption of discriminatory and racist laws that threatened to deprive children of the right to education and medical care, solely because their parents were illegal immigrants.

48. The sponsors of the draft resolution had disregarded not only Cuba's invitation addressed to the Commission to send a mission to visit the country, but also its contacts with the Secretary-General and its systematic cooperation with United Nations human rights mechanisms.

49. Lastly, he said that Cuba had no fear of standing alone in defence of a just cause and would not stoop to accept hegemonic interference. For those reasons, his delegation would vote against the draft resolution.

50. At the request of the representative of Cuba, the vote was taken by roll-call.

51. Peru, having been drawn by lot by the Chairman, was called upon to vote first.

In favour: Australia, Austria, Bulgaria, Canada, Chile, Dominican Republic, Ecuador, Finland, France, Germany, Hungary, Italy, Japan, Netherlands, Nicaragua, Poland, Republic of Korea, Romania, Russian Federation, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela.

Against: Angola, China, Cuba, Guinea-Bissau, India, Indonesia, Nepal, Sudan.

Abstaining: Algeria, Bangladesh, Benin, Bhutan, Brazil, Cameroon, Colombia, Côte d'Ivoire, Egypt, El Salvador, Ethiopia, Gabon, Malawi, Malaysia, Mauritania, Mauritius, Mexico, Pakistan, Peru, Philippines, Sri Lanka, Togo, Zimbabwe.

52. The draft resolution was adopted by 22 votes to 8, with 23 abstentions.

Draft resolution on the human rights situation in southern Lebanon and the western Bekaa (E/CN.4/1995/L.76)

53. Mr. BEBARS (Egypt), introducing the draft resolution on behalf of the sponsors, which had been joined by Cuba and Pakistan, said that it was in keeping with the one already adopted by the Commission on the Middle East peace process (E/CN.4/1995/L.13). It had taken into account the developments in the peace process in the Middle East and, in contrast with the similar resolution adopted the previous year, contained no expressions of condemnation. Accordingly, his delegation hoped it could be adopted without a vote. He drew attention to an amendment to the Arabic text of the draft resolution. In the second line of paragraph 1, the word "detention" ("i'tiqal"), should be inserted after the word "kidnapping" ("khatf").

54. At the request of the representative of Egypt and of the representative of the United States of America, the vote was taken by roll-call.

55. Cameroon, having been drawn by lot by the Chairman, was called upon to vote first.

In favour: Algeria, Australia, Austria, Bangladesh, Bhutan, Brazil, Bulgaria, Cameroon, Canada, Chile, China, Colombia, Côte d'Ivoire, Cuba, Ecuador, Egypt, El Salvador, Ethiopia, Finland, France, Gabon, Germany, Guinea-Bissau, Hungary, India, Indonesia, Italy, Japan, Malawi, Malaysia, Mauritania, Mauritius, Mexico, Nepal, Netherlands, Nicaragua, Pakistan, Peru, Poland, Republic of Korea, Romania, Russian Federation, Sri Lanka, Sudan, Togo, United Kingdom of Great Britain and Northern Ireland, Venezuela, Zimbabwe.

Against: United States of America.

Abstaining: Angola, Benin, Dominican Republic, Philippines.

56. The draft resolution, as orally revised, was adopted by 48 votes to 1 with 4 abstentions.

Draft resolution on the situation of human rights in China (E/CN.4/1995/L.86)

57. Mr. HAREL (France) said that the Vienna Declaration had declared all human rights to be universal, indivisible and interdependent and interrelated. Human rights were a legitimate concern of the international

community and in no way did concern for human rights constitute interference in a country's internal affairs. The credibility of the Commission depended on its members' willingness objectively to address all human rights situations, whatever the country concerned. He therefore called on the members of the Commission to support the draft resolution.

58. Mr. JIN Yongjian (China) said that his delegation resolutely opposed the draft resolution and, in accordance with rule 65, paragraph 2 of the rules of procedure of the functional commissions of the Economic and Social Council, formally proposed that the Commission should take no decision on it.

59. The draft resolution distorted the actual situation in China and was groundless. Over the previous 10 years China had made universally recognized reforms and opened itself up to the outside world. The Government of China attached great importance to the construction of democracy and the improvement of its legal system, and had taken a number of legislative, judicial and administrative measures to promote human rights and fundamental freedoms for all ethnic groups in China, whose languages and cultural traditions were protected. The sponsors of the draft resolution had turned a blind eye to China's achievements and made groundless allegations against it.

60. The political aim of the draft resolution, which was to contain China's development, was cloaked in moderate language. However, its sponsors had not baulked at using coercion to obtain support for the draft resolution. Their real concern was with China's rapid economic development and social stability, and they sought to turn China away from the path of development.

61. The draft resolution was an onslaught against a developing country and was not targeted at China alone, but at the developing countries as a whole. Its sponsors included countries which had in the past invaded and bullied many developing countries and which were now posing as the defenders of human rights. The draft resolution favoured confrontation rather than dialogue and cooperation, which China had always favoured as a means of solving differences. In the light of those considerations, he urged members of the Commission to support his motion that no action be taken on the draft resolution.

62. The CHAIRMAN said that, in accordance with rule 65, paragraph 2 of the rules of procedure of the functional commissions of the Economic and Social Council, a motion that no decision should be taken on a proposal had priority over that proposal. Accordingly, the Commission would first consider the motion by the delegation of China that no decision should be taken on the draft resolution.

63. Mr. GOONETILLEKE (Sri Lanka) said that his delegation remained convinced that human rights issues should be resolved through discussion and persuasion rather than by placing countries in the dock. Only a genuine dialogue could constructively contribute to advancing the cause of human rights. His delegation appreciated the efforts by the Government of China to protect the rights of its people, and for that reason would vote in favour of the motion.

64. Mr. ELKARIB (Sudan) said that his delegation too would support the motion. The previous few weeks had witnessed an intense and hostile campaign against China by some Western delegations and NGOs, who were clearly acting out of political motives. Such a flurry of hostility seemed to occur whenever the Government of the United States took exception to the policies of China. The United States and other Western countries seemed to resent China's support for countries in the third world which had earned their wrath. His delegation also detected a trend, which had been apparent since the demise of the Soviet Union, to reduce large countries in Asia and Africa to a more manageable size.

65. Mrs. FERRARO (United States of America) said that a vote in favour of the motion would send misleading signals to the Government of China and to those struggling, at the risk of their lives, to improve human rights there. It would also send a misleading signal about the Commission to the world as a whole. The motion was an attempt to stifle the debate on human rights which was the Commission's very raison d'être. Nothing would undercut its credibility more, especially as it would be tantamount to saying that China alone was beyond the reach of the Commission. A vote in favour of the motion would be a travesty of all the Commission stood for and she strongly urged members to vote against it.

66. Mr. PEREZ NOVOA (Cuba) said that his delegation did not believe that the human rights situation in China was such as to merit the attention of the Commission. The draft resolution was an attempt selectively to use human rights issues for political ends and was unlikely to foster the cooperation which was so vital to the Commission's work.

67. Mr. HASHIM (Bangladesh), Mr. KAMAL (Pakistan), Mr. CHANDRA (India) and Mr. LEMINE (Mauritania) were of the view that, as the Government of China had made commendable efforts to improve the human rights situation in China and cooperated fully with the United Nations machinery, the move to censure it was totally unjustified and would be counter-productive.

68. Ms. WENSLEY (Australia), Mr. STEEL (United Kingdom) and Mr. SZELEI K. (Hungary) considered that human rights issues should be addressed on their merits and that their delegations were opposed, as a matter of principle, to "no-action" motions which sought to deflect consideration of human rights situations. There was no reason to exempt China from the Commission's scrutiny. Their delegations would therefore vote against the motion.

68. Mr. HO (Republic of Korea) reaffirmed his delegation's commitment to the Purposes and Principles of the Charter of the United Nations and the Universal Declaration of Human Rights. The Commission had contributed to an improvement of the human rights situation throughout the world by taking whatever steps had proved necessary. However, in view of the constructive position adopted by the Government of China with regard to United Nations human rights mechanisms, his delegation would abstain from the vote on the motion.

70. At the request of the representative of China, the vote was taken by roll-call on the motion that the Commission should take no action on draft resolution E/CN.4/1995/L.86.

71. Austria, having been drawn by lot by the Chairman, was called upon to vote first.

In favour: Algeria, Angola, Bangladesh, Bhutan, Cameroon, China, Côte d'Ivoire, Cuba, Egypt, Ethiopia, Gabon, India, Indonesia, Malaysia, Mauritania, Nepal, Pakistan, Peru, Sri Lanka, Sudan, Togo, Zimbabwe.

Against: Australia, Austria, Bulgaria, Canada, Dominican Republic, Ecuador, El Salvador, Finland, France, Germany, Guinea-Bissau, Hungary, Italy, Japan, Netherlands, Nicaragua, Philippines, Poland, Romania, Russian Federation, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Benin, Brazil, Chile, Colombia, Malawi, Mauritius, Mexico, Republic of Korea, Venezuela.

72. The motion that the Commission should take no action on draft resolution E/CN.4/1995/L.86 was rejected by 22 votes to 22, with 9 abstentions.

The meeting rose at 12.25 a.m.